

1700 G Street NW
Washington, DC 20552



RE: FOIA Request #BCFP-2018-0762-F

November 15, 2018

Mr. Austin Evers
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005

Dear Mr. Evers:

This letter is in final response to your Freedom of Information Act (FOIA) request dated September 7, 2018 to the Bureau of Consumer Financial Protection (BCFP). Your request sought the following:

- 1) All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat, Lync, Skype, WhatsApp, Facebook messages, and Twitter Direct Messages), telephone call logs, calendar invitations/entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or records exchanged) between CFPB and any employee or representative of Navient Corporation (including any lawyer or lobbyist representing Navient).
- 2) All records produced to Congress in response to the April 5, 2018 Letter³ from Sens. Blumenthal, Warren, Durbin & Murray to Acting Director English & Director Mulvaney or records otherwise deemed responsive to that letter.
- 3) Records describing the processing of this request, including records sufficient to identify search terms used and locations and custodians searched and any tracking sheets used to track the processing of this request. If CFPB uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, you also requested any such records prepared in connection with the processing of this request.

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A search of our Office of Legislative Affairs, Legal Division and Office of Enforcement for documents responsive to your request determined that the documents relate to an ongoing litigation which could reasonably be expected to interfere with enforcement proceedings, accordingly the documents are withheld in full pursuant to Title 5 U.S.C. § 552 (b)(7)(A).

FOIA Exemption 7(A) protects from disclosure records or information compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement proceedings. I have determined that the information you are seeking relates to an ongoing law enforcement investigation. Therefore, I am withholding all records, documents, and/or other material, which if disclosed prior to completion, could reasonably be expected to interfere with law enforcement proceedings and final agency actions related to those proceedings. Please be advised that once all pending matters are resolved and FOIA Exemption 7(A) is no longer applicable, there may be other exemptions which could protect certain information from disclosure, such as FOIA Exemptions 7(C), 7(D), 7(E), and/or 8.

You may appeal any of the responses or decisions set forth above. If you choose to file an appeal, you must do so within 90 calendar days from the date of this letter. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for the appeal. You may send your appeal via the mail (address below), email (CFPB_FOIA@cfpb.gov) or fax (1-855-FAX-FOIA (329-3642)).

Your appeal should be addressed to:

Bureau of Consumer Financial Protection
Chief FOIA Officer
Freedom of Information Appeal
1700 G Street, NW
Washington, DC 20552

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, we have waived all fees related to the processing of your request. Therefore, your fee waiver is moot.

For inquiries concerning your request, please contact our FOIA Public Liaison at CFPB_FOIA@cfpb.gov or by phone at 1-855-444-FOIA (3642).

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Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. D. Lazier".

Raynell D. Lazier
FOIA Manager
Operations Division

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